

United States District Court

District of Wyoming

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender : Gilbert Wayne Wiles Jr. Case No.: 16-CR-19-J-2
 Sentencing Judicial Officer: The Honorable Alan B. Johnson
 Date of Original Sentence: June 24, 2016
 Original Offense: Operating an Unregistered Aircraft and Aiding and Abetting
 Original Sentence: 36 months probation
 Type of Supervision: Probation
 Date Supervision Commenced: June 24, 2016
 Assistant U.S. Attorney: Thomas Andrew Szott
 Defense Attorney: Dion J. Custis

Petitioning the Court

- ☒ To issue a warrant
☐ To issue a summons
☐ To sign and have filed an amended petition

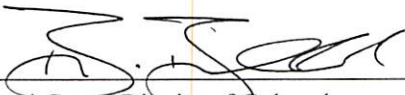
The probation officer believes the offender has violated the following condition(s) of supervision:

(See attached)

U.S. Probation Officer Recommendation:

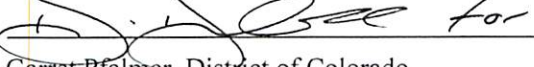
- ☒ The term of supervision should be
☒ revoked.
☐ extended for _____ years, for a total of _____ years.
☐ The conditions of supervision should be modified as follows:

I declare under penalty of perjury that the foregoing is true and correct.

 for _____
 Lori Cross, District of Colorado
 U.S. Probation Officer

04/14/2017

Date

Approved by:  for _____
 Garret Pfalmer, District of Colorado
 Supervisory U.S. Probation Officer

THE COURT ORDERS:

- ☐ No Action
☒ The issuance of a warrant
☐ The issuance of a summons
☐ Other

THE COURT FURTHER ORDERS:

- ☒ Counsel to file Notice of Intent to Contest the Results of the Urinalysis Testing within two days of the Initial Appearance on this Petition.

 _____
 Alan B. Johnson
 U.S. District Judge

Date

4/14/17

Petition for Warrant
Gilbert Wayne Wiles Jr.

Violation No. 1

Standard Condition

The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.

Nature of Noncompliance

On or about July 12, 2016, the defendant submitted a urine specimen at Independence House North that returned positive for cocaine use. The aforementioned drug test was thereafter confirmed positive by Alere Toxicology Services.

U.S. Probation Officer's Action

The positive drug test was addressed with the defendant and he signed a denial form indicating that he had not used cocaine. The defendant was referred to Independence House North for a dual diagnosis evaluation and he was continued on random drug testing.

Violation No. 2

Standard Condition

7

The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.

Nature of Noncompliance

On or about September 21, 2016, the defendant submitted a drug test at Independence House North that returned positive for cocaine use. The aforementioned drug test was thereafter confirmed positive by Alere Toxicology Services.

U.S. Probation Officer's Action

The positive drug test was addressed with the defendant and he signed a denial form indicating that he had not used cocaine. The Probation Officer facilitated a three-way meeting with the defendant and Supervisory Probation Officer Garret Pfalmer to discuss his noncompliance. Additionally, the defendant's treatment plan was amended to include Moral Reconnection Therapy (MRT) and the U.S. Probation Office in the District of Wyoming was notified of the defendant's non-compliant behavior.

Violation No. 3

Standard Condition

7

The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.

Nature of Noncompliance

On or about October 4, 2016, the defendant submitted a urine specimen at the Probation Office that returned positive for cocaine use. The aforementioned drug test was thereafter confirmed positive by Alere Toxicology Services.

U.S. Probation Officer's Action

The positive drug test was addressed with the defendant and he signed a denial form indicating that he had not used cocaine. The Probation Officer facilitated a three-way meeting with the defendant and Supervisory Probation Officer Garret Pfalmer to discuss his noncompliance. Additionally, the defendant's treatment plan was amended to include Moral Reconnection Therapy (MRT) and the U.S. Probation Office in the District of Wyoming was notified of the defendant's non-compliant behavior. The Court was notified of the defendant's noncompliance.

Petition for Warrant
Gilbert Wayne Wiles Jr.

by way of a Memorandum on October 21, 2016.

Violation No. 4

Standard Condition 7 The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.

Nature of Noncompliance

On or about March 21, 2017, the defendant submitted a urine specimen at Independence House North that returned positive for cocaine use. The aforementioned drug test was thereafter confirmed positive by Alere Toxicology Services.

U.S. Probation Officer's Action

The positive drug test was addressed with the defendant and he signed a denial form indicating that he had not used cocaine. The Probation Officer reprimanded the defendant regarding his continued drug use and he was instructed to continue reporting for all of his random drug tests and treatment sessions. Additionally, the Probation Officer notified the defendant's treatment counselors of his drug use so that it could be addressed in the treatment setting.

Violation No. 5

Standard Condition 7 The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.

Nature of Noncompliance

On or about March 28, 2017, the defendant submitted a urine specimen at Independence House North that returned positive for marijuana use. The aforementioned drug test was thereafter confirmed positive by Alere Toxicology Services.

U.S. Probation Officer's Action

The positive drug test was addressed with the defendant and he signed a denial form indicating that he had not used marijuana. The Probation Officer reprimanded the defendant regarding his continued drug use and he was instructed to continue reporting for all of his random drug tests and treatment sessions. Additionally, the Probation Officer notified the defendant's treatment counselors of his drug use so that it could be addressed in the treatment setting.

Violation No. 6

Special Condition 9 The defendant shall submit to drug and alcohol testing as directed by the U.S. Probation Officer and shall comply with the specific co-pays imposed for failing to comply with drug testing.

Nature of Noncompliance

On July 31, 2016, January 5, January 14, February 12, and March 14, 2017, the defendant failed to report to Independence House North for drug testing.

U.S. Probation Officer's Action

The defendant was reprimanded for his failure to report for drug testing and he was re-instructed to report for all of his random drug tests. He was also required to submit additional drug tests at the Probation Office.

Petition for Warrant
Gilbert Wayne Wiles Jr.

Violation No. 7

Special Condition 8 The defendant shall participate in and successfully complete substance abuse treatment in a program approved by the U.S. Probation Officer, and abide by the rules, requirements and conditions of the treatment program. The defendant shall not discontinue treatment without the permission of the U.S. Probation Officer.

Nature of Noncompliance

On March 20, and April 3, 2017, the defendant failed to report to Independence House North for his scheduled substance abuse group treatment sessions. Additionally, he failed to report for his scheduled individual substance abuse treatment sessions at Independence House North on September 7, September 22, and December 28, 2016.

U.S. Probation Officer's Action

The defendant was reprimanded for his failure to attend his scheduled treatments sessions and he was re-instructed to attend all of his required treatment sessions.

Violation No. 8

Special Condition The defendant shall satisfy his outstanding active warrants in Greenfield, Indiana, and Columbus, Ohio, within the first six months of his probation term.

Nature of Noncompliance

The defendant has failed to satisfy his outstanding warrants in Greenfield, Indiana, and Columbus, Ohio.

U.S. Probation Officer's Action

On February 17, 2017, the Court was notified that the defendant failed to provide requested documentation to the Probation Officer to verify that he had made considerable attempts to satisfy his outstanding warrants.

Penalties for Probation Violations:

I. Custody

Statutory Penalties: According to 18 U.S.C. § 3565(b)(4), if, as part of drug testing, the defendant tests positive for illegal controlled substances more than 3 times over the course of 1 year, the Court shall revoke the sentence of probation and resentence the defendant under subchapter A to a sentence that includes a term of imprisonment. The maximum term of custody for Operating an Unregistered Aircraft and Aiding and Abetting is 3 years.

Guideline Penalties: In the case of revocation of probation, the applicable term of imprisonment is found in the Sentencing Guideline Table under 7B1.4(a)(2). This section states that for a Grade C Violation with a Criminal History Category of I, the applicable imprisonment range is 3 to 9 months.

II. Supervised Release

Statutory Maximum: If probation is revoked and the defendant is sentenced to a term of imprisonment, the Court may sentence the defendant to a term of supervised release. The maximum term of supervised release is 1 year.

Guideline Range: If probation is revoked and the defendant is sentenced to a term of imprisonment, the Court shall sentence the defendant to a term of supervised release in accordance with the provisions of U.S.S.G. § 5D1.1 to 1.3. The length of such a term of supervised release is 1 year. U.S.S.G. § 5D1.2(a)(3).



Drug Test Report

1111 Newton Street
Gretna, LA 70053
(800) 433-3823 - (504) 361-8989
FAX: (504) 361-8298

COLORADO PROBATION - DENVER
KATRINA DEVINE
1929 STOUT STREET
SUITE C-120
DENVER, CO 80294

Facility Phone: 303-335-2437 Fax: 303-844-5439

Account Number: 10820000P
Div. Office Number: 10820001P
National Lab Number: 47211782
Specimen ID Number: B03306070
Specimen Type: URINE

Collection Site Number: 10820036PV
Collection Site Name: U.S. PROBATION AND PRETRIAL SERVICES
Collection Site Address: 955 GOLD AVENUE SW
Collection Site City, State Zip: ALBUQUERQUE, NM 87102
Collection Site Phone: 303-335-2446
Collection Site Fax: 000-000-0000

PACTS Number: 1972243
Onsite Test ID: 0225199
Case Officer Initials: LXC

Collector Name
NO NAME

Donor Name/ID: WILES

Date Collected: 7/12/2016
Date Received: 7/21/2016
Date Reported: 7/23/2016

Reason for Drug Test: URINE SURVEILLANCE

Panel Description: CLIN 1098 - (COCAINE)BENZOYLECGONINE

Drug Test Result	Drug/Remark	Quantitative Value
POSITIVE	BENZOYLECGONINE-COCAINE METAB	

Confirmation Method: GC/MS and/or LC-MS/MS

The following drugs and/or drug classes were tested at the indicated threshold (cut-off) levels:

Description	Screening Level	Confirmation Level	Result
BENZOYLECGONINE-COCAINE METAB		100 ng/ml	POSITIVE

Validity Test	Result	Normal Range
CREATININE	NORMAL	> 20 mg/dL
SPECIFIC GRAVITY	NORMAL	= or > 1.0030 - < 1.0450
pH	NORMAL	= or > 4.0 - < 10

Trianda Spriggs

NO NAME

TRIANDA SPRIGGINS - CERTIFYING TECHNICIAN/SCIENTIST

COLLECTOR NAME



Drug Test Report

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Gretna, LA 70053
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FAX: (504) 361-8298

COLORADO PROBATION
KATRINA DEVINE
1929 STOUT STREET
SUITE C-120
DENVER, CO 80294

Facility Phone: 303-335-2437

Fax: 303-844-5439

Account Number: 10820000P
Div. Office Number: 10820000P
National Lab Number: 47686830
Specimen ID Number: B03658396
Specimen Type: URINE

Collection Site Number: 10820036PV

Collection Site Name: U.S. PROBATION AND PRETRIAL SERVICES

Collection Site Address: 955 GOLD AVENUE SW

Collection Site City, State Zip: ALBUQUERQUE, NM 87102

Collection Site Phone: 303-335-2446

Collection Site Fax: 000-000-0000

PACTS Number: 1972243

Onsite Test ID: 0227671

Case Officer Initials: LXC

Collector Name

N/A

Donor Name/ID: WILES

Date Collected: 9/21/2016

Date Received: 9/30/2016

Date Reported: 10/3/2016

Reason for Drug Test: URINE SURVEILLANCE

Panel Description: CLIN 1098 - (COCAINE)BENZOYLECGONINE

<u>Drug Test Result</u>	<u>Drug/Remark</u>	<u>Quantitative Value</u>
POSITIVE	BENZOYLECGONINE-COCAINE METAB	

Confirmation Method: GC/MS and/or LC-MS/MS

The following drugs and/or drug classes were tested at the indicated threshold (cut-off) levels:

<u>Description</u>	<u>Screening Level</u>	<u>Confirmation Level</u>	<u>Result</u>
BENZOYLECGONINE-COCAINE METAB		100 ng/ml	POSITIVE
<u>Validity Test</u>	<u>Result</u>	<u>Normal Range</u>	
CREATININE	NORMAL	> 20 mg/dL	
SPECIFIC GRAVITY	NORMAL	= or > 1.0030 - < 1.0450	
pH	NORMAL	= or > 4.0 - < 10	

N/A

SUSAN BYBEE - CERTIFYING TECHNICIAN/SCIENTIST

COLLECTOR NAME

1111 Newton Street
Gretna, LA 70053
(800) 433-3823 - (504) 361-8989
FAX: (504) 361-8298



Drug Test Report

COLORADO PROBATION
KATRINA DEVINE
1929 STOUT STREET
SUITE C-120
DENVER, CO 80294

Facility Phone: 303-335-2437

Fax: 303-844-5439

Account Number: 10820000P
Div. Office Number: 10820000P
National Lab Number: 47732145
Specimen ID Number: B03108439
Specimen Type: URINE

FACTS Number: 1972243
Onsite Test ID: 0
Case Officer Initials: LXL

Collector Name
BUESCHER JORDAN

Collection Site Number: 10820000P
Collection Site Name: COLORADO PROBATION - DENVER
Collection Site Address: 1961 STOUT STREET
Collection Site City, State Zip: DENVER, CO 80294
Collection Site Phone: 303-335-2508
Collection Site Fax: 303-844-5599

Donor Name/ID: WILES

Date Collected: 10/4/2016
Date Received: 10/7/2016
Date Reported: 10/8/2016

Reason for Drug Test: URINE SURVEILLANCE

Panel Description: CLIN 1098 - (COCAINE)BENZOYLECGONINE

Drug Test Result	Drug/Remark	Quantitative Value
POSITIVE	BENZOYLECGONINE-COCAINE METAB	

Confirmation Method: GC/MS and/or LC-MS/MS

The following drugs and/or drug classes were tested at the indicated threshold (cut-off) levels:

Description	Screening Level	Confirmation Level	Result
BENZOYLECGONINE-COCAINE METAB		100 ng/ml	POSITIVE
<u>Validity Test</u>	<u>Result</u>	<u>Normal Range</u>	
CREATININE	DILUTE	> 20 mg/dL	
SPECIFIC GRAVITY	DILUTE	= or > 1.0030 - < 1.0450	
pH	NORMAL	= or > 4.0 - < 10	

Comments DILUTE SPECIMEN - CREATININE / SPECIFIC GRAVITY

Trianda Spriggs

TRIANDA SPRIGGINS - CERTIFYING TECHNICIAN/SCIENTIST

BUESCHER JORDAN

COLLECTOR NAME



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FAX: (504) 361-8298

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KATRINA DEVINE
1929 STOUT STREET
SUITE C-120
DENVER, CO 80294

Facility Phone: 303-335-2437

Fax: 303-844-5439

Account Number: 10820000P
Div. Office Number: 10820000P
National Lab Number: 48769565
Specimen ID Number: B03658795
Specimen Type: URINE

Collection Site Number: 10820036PV
Collection Site Name: U.S. PROBATION AND PRETRIAL SERVICES
Collection Site Address: 950 GOLD AVENUE SW
Collection Site City, State Zip: ALBUQUERQUE, NM 87102
Collection Site Phone: 303-335-2446
Collection Site Fax: 000-000-0000

PACTS Number: 1972243
Onsite Test ID:
Case Officer Initials: LXC

Collector Name
N/A

Donor Name/ID: WILES

Date Collected: 3/21/2017
Date Received: 3/31/2017
Date Reported: 4/3/2017

Reason for Drug Test: URINE SURVEILLANCE

Panel Description: CLIN 1098 - (COCAINE)BENZOYLECGONINE

Drug Test Result	Drug/Remark	Quantitative Value
POSITIVE	BENZOYLECGONINE-COCAINE METAB	

Confirmation Method: GC/MS and/or LC-MS/MS

The following drugs and/or drug classes were tested at the indicated threshold (cut-off) levels:

Description	Screening Level	Confirmation Level	Result
BENZOYLECGONINE-COCAINE METAB		100 ng/ml	POSITIVE
Validity Test		Normal Range	
CREATININE	Result	> 20 mg/dL	
SPECIFIC GRAVITY	NORMAL	= or > 1.0030 - < 1.0450	
pH	NORMAL	= or > 4.0 - < 10	

N/A

TERI JUNOT - CERTIFYING TECHNICIAN/SCIENTIST

COLLECTOR NAME



Drug Test Report

1111 Newton Street
Gretna, LA 70053
(800) 433-3823 - (504) 361-8989
FAX: (504) 361-8298

COLORADO PROBATION
KATRINA DEVINE
1929 STOUT STREET
SUITE C-120
DENVER, CO 80294

Facility Phone: 303-335-2437

Fax: 303-844-5439

Account Number: 10820000P
Div. Office Number: 10820000P
National Lab Number: 48823281
Specimen ID Number: B03658699
Specimen Type: URINE

Collection Site Number: 10820036PV

Collection Site Name: U.S. PROBATION AND PRETRIAL SERVICES

Collection Site Address: 955 GOLD AVENUE SW

Collection Site City, State Zip: ALBUQUERQUE, NM 87102

Collection Site Phone: 303-335-2446

Collection Site Fax: 000-000-0000

PACTS Number: 1972243

Onsite Test ID: 0234090

Case Officer Initials: LXC

Collector Name

NA

Donor Name/ID: WILES

Date Collected: 3/28/2017

Date Received: 4/8/2017

Date Reported: 4/11/2017

Reason for Drug Test: URINE SURVEILLANCE

Panel Description: CLIN 1098 - THC CONF

Drug Test Result	Drug/Remark	Quantitative Value
POSITIVE	MARIJUANA METABOLITE	15 ng/ml

Confirmation Method: GC/MS and/or LC-MS/MS

The following drugs and/or drug classes were tested at the indicated threshold (cut-off) levels:

Description	Screening Level	Confirmation Level	Result
MARIJUANA METABOLITE		15 ng/ml	POSITIVE
<u>Validity Test</u>	<u>Result</u>	<u>Normal Range</u>	
CREATININE	DILUTE	> 20 mg/dL	
SPECIFIC GRAVITY	DILUTE	= or > 1.0030 - < 1.0450	
pH	NORMAL	= or > 4.0 - < 10	

Comments DILUTE SPECIMEN - CREATININE / SPECIFIC GRAVITY

SUSAN BYBEE - CERTIFYING TECHNICIAN/SCIENTIST

NA

COLLECTOR NAME